

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LARRY FREUDENBERG Individually and on behalf of all others similarly situated,  Plaintiff,  -v-  E*TRADE FINANCIAL CORPORATION, MITCHELL H. CAPLAN, and ROBERT SIMMONS,  Defendants.	Case No.: 07-cv-8538 (RWS)  ECF CASE
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(Captions continued on following page)

**SECOND SUPPLEMENTAL DECLARATION OF JUDITH L. SPANIER  
IN SUPPORT OF LEAD PLAINTIFF MOTION OF STATE TEACHERS  
RETIREMENT SYSTEM OF OHIO**

WILLIAM BOSTON, Individually and on  
behalf of all others similarly situated,  
Plaintiff,

Case No. 07-cv-8808 (RWS)

-v-

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN, and ROBERT  
SIMMONS,

Defendants

ROBERT D. THULMAN, Individually and on  
behalf of all others similarly situated,

Plaintiff,

Case No. 07-cv-9651 (RWS)

-v-

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN, and ROBERT  
SIMMONS,

Defendants.

WENDY M. DAVIDSON, INDIVIDUALLY  
AND ON BEHALF OF ALL OTHERS  
SIMILARLY SITUATED,

Plaintiff,

Civil Action No. 07-cv-10400 (UA)

-v-

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN and ROBERT J.  
SIMMONS,

Defendants.

JOSHUA FERENC, INDIVIDUALLY AND  
ON BEHALF OF ALL OTHERS SIMILARLY  
SITUATED,

Plaintiff,

Civil Action No. 07-cv-10540 (SHS)

-v-

E\*TRADE FINANCIAL CORPORATION,  
MITCHELL H. CAPLAN, and ROBERT J.  
SIMMONS,

Defendants.

JUDITH L. SPANIER, pursuant to 28 U.S.C. § 746, declares as follows under penalty of perjury:

1. I am a partner of the law firm of Abbey Spanier Rodd & Abrams, LLP, counsel for State Teachers Retirement System of Ohio ("STRS"). I submit this second supplemental declaration, together with the exhibits annexed hereto, in further support of STRS' motion to consolidate all related cases, to be appointed as Lead Plaintiff and for approval of Lead Plaintiff's selection of Lead Counsel.

2. Annexed hereto as Exhibit A is a "Risk Warning Notice" posted on E\*TRADE Financial Corporation's U.K. website.

3. Annexed hereto as Exhibit B are true and correct copies of screen shots of the Options Clearing Corp. website reflecting daily volume and pricing of E\*Trade options.

Dated: January 7, 2008  
New York, New York

  
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Judith L. Spanier